



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|--------------------|
| Application Number | 09/876,742 |
| Filing Date | September 29, 2000 |
| First Named Inventor | Sacca, Frank |
| Group Art Unit | 2643 |
| Examiner Name | Jamal, Alexander |
| Attorney Docket Number | 0200105 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months, Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0731
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 06/08/2004 AMONDAF1 00000009 09676742
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.138 and 1.17) 01 FC:1801 770.00 OP
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed.
- c. ☒ Payment by credit card for the amount of \$ 880.00. (Form PTO-2038 enclosed).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-----------------------|-----------------------------------|--------|
| Name (Print/Type) | Michael Farjami, Esq. | Registration No. (Attorney/Agent) | 38,135 |
| Signature | | Date | 6/3/04 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|----------------|------|--------|
| Name (Print/Type) | Lori Lapidario | Date | 6/3/04 |
| Signature | | | |

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26522 La Alameda Avenue, Suite 360
Mission Viejo, California 92691
tel: (949) 282-1000
fax: (949) 282-1002**FACSIMILE TRANSMISSION COVER SHEET**

Date: June 3, 2004

To: United States Patent and Trademark Office
Examiner Jamal, Alexander, Art Unit 2643

Fax: (703) 872-9306

Re: **Application Serial No.: 09/676,742**
Filing Date: 9/29/2000; Inventor(s): Frank Sacca
Attorney Docket No.: 0200105

From: Farjami & Farjami LLP

Number of pages including the cover sheet: 18

Message:

Enclosed please find the Request for Continued Examination (RCE) in response to the Office Action dated February 6, 2004. Payment for the First Month Extension Fee and RCE Filing Fee in the amount of \$880.00 is hereby enclosed on Form PTO-2038.

Thank you.

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